

§Appl. No. 10/071,248  
Amdt. dated November 6, 2008  
Reply to the Decision on Appeal of, September 23, 2008

**REMARKS**

Claim 22 has been cancelled in that the Examiner's rejection of this claim by the Board of Appeals has been affirmed. Claims 1-15 are now pending in this application. The sole ground for rejecting claims 1-15 under 35 U.S.C. § 112, first paragraph, has been reversed by the Board of Appeals. With no outstanding rejections, Appellants submit claims 1-15 are in condition for allowance.

Appellants remind the Examiner that the claim to priority was withdrawn while the application was on appeal such that the effective filing date of the application is February 11, 2002.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Richard J. Traverso/

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